



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

February 24, 2015

System No. 3910301

Randy Caldera
Carnegie State Vehicle Recreation Area
15751 Tesla Road
Livermore, CA 94550

TRANSMITTAL OF CITATION NO. 01-10-15C-004 FOR FAILURE TO MONITOR FOR NITRATE DURING 2014

Dear Mr. Caldera,

The Carnegie State Vehicle Recreation Area (Carnegie) Water System (No. 3910301) failed to monitor its source water for nitrate during 2014, as specified in the Domestic Water Quality and Monitoring Regulations, Title 22, Section 64432.1(a) of the California Code of Regulations (CCR). The State Water Resources Control Board, Division of Drinking Water (Division) has issued Citation No. 01-10-15C-004, in response to this violation. The citation is being transmitted to Carnegie under cover of this letter.

Please respond to the Directives of this Citation by the deadlines established with each item. If you have any questions regarding this Citation, please contact Brian Kidwell by email at Brian.Kidwell@waterboards.ca.gov or by phone at (209) 948-3963.

Sincerely,

Bhupinder S. Sahota, P.E.
District Engineer, Stockton District
NORTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

Attachments:

Citation No. 01-10-15C-004

Certified Mail No. 7004 2890 0002 0057 9546

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FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

31 E. Channel Street, Room 270, Stockton, CA 95202 | www.waterboards.ca.gov

1 **STATE OF CALIFORNIA**
2 **WATER RESOURCES CONTROL BOARD**
3 **DIVISION OF DRINKING WATER**
4

5 **TO:** Carnegie State Vehicle Recreation Area
6 18600 Corral Hollow Road
7 Tracy, CA 95376
8

9 **Attn:** Mr. Randy Caldera, Sector Superintendent
10 Carnegie State Vehicle Recreation Area
11

12 **CITATION FOR VIOLATION OF CALIFORNIA CODE OF REGULATIONS,**
13 **TITLE 22, SECTION 64432.1 (a)**
14 **ANNUAL NITRATE MONITORING AND REPORTING VIOLATION**
15 **WATER SYSTEM NO. 3910301**
16 **C I T A T I O N N O . 01-10-15C-004**
17 **Issued on February 24, 2015**
18

19 The State Water Resources Control Board (hereinafter "Water Board"), acting by and
20 through its Division of Drinking Water (hereinafter "Division") and the Deputy Director
21 for the Division (hereinafter "Deputy Director"), hereby issues this Citation (hereinafter
22 "Citation") pursuant to Section 116650 of the California Health and Safety Code
23 (hereinafter "CHSC") to the Carnegie State Vehicle Recreation Area (hereinafter,
24 "Carnegie") for violation of Title 22, California Code of Regulations (CCR), Section
25 64432.1 (a).
26
27

1 **APPLICABLE AUTHORITIES**

2 **Section 116650 of California Health and Safety Code provides:**

3
4 (a) If the Division determines that a public water system is in violation of
5 this chapter or any regulation, permit, standard, citation, or order issued or adopted
6 thereunder, the Division may issue a citation to the public water system. The citation
7 shall be served upon the public water system personally or by certified mail. Service
8 shall be deemed effective as of the date of personal service or the date of receipt of
9 the certified mail. If a person to whom a citation is directed refuses to accept delivery
10 of the certified mail, the date of service shall be deemed to be the date of mailing.

11 (b) Each citation shall be in writing and shall describe the nature of the
12 violation or violations, including a reference to the statutory provision, standard, order,
13 citation, permit, or regulation alleged to have been violated.

14 (c) A citation may specify a date for elimination or correction of the
15 condition constituting the violation.

16 (d) A citation may include the assessment of a penalty as specified in
17 subdivision (e).

18 (e) The Division may assess a penalty in an amount not to exceed one
19 thousand dollars (\$1,000) per day for each day that a violation occurred, and for each
20 day that a violation continues to occur. A separate penalty may be assessed for each
21 violation.

22
23 **California Code of Regulations, Title 22, Section 64432.1, subsection (a)**
24 **provides, in relevant part:**

25
26 (a) To determine compliance with the MCL for nitrate in Table 64431-A, all public
27 water systems using groundwater and transient-noncommunity systems using

1 approved surface water shall monitor annually, and all community and nontransient-
2 noncommunity systems using approved surface water shall monitor quarterly.

3 4 STATEMENT OF FACTS

5 Carnegie is operated under Water Supply Permit No. 01-88-005, which was issued on
6 May 16, 1988.

7
8 Carnegie's water system is located in San Joaquin County along Interstate 580,
9 approximately seven miles east of the City of Livermore. Carnegie's service area is
10 approximately 1,500 acres in size.

11
12 Carnegie's water system is classified as a transient, non-community water system
13 that serves the patrons of the State Vehicle Recreation Area. According to the 2013
14 Annual Report to the Division, Carnegie serves approximately 112 people through
15 service connections. Thirteen (13) of these service connections are metered and one
16 (1) is un-metered. One of the service connections serves the Lawrence Livermore
17 National Laboratory-Site 300 (Site 300) pistol range, on the adjacent Site 300
18 property. The water system obtains its water supply from one active well located on
19 Carnegie property.

20
21 In addition to the well, the water system facilities include two water storage tanks,
22 36,000-gallon and 96,000-gallon, and a booster pump station. The domestic water is
23 routinely disinfected using sodium hypochlorite.

24
25 The water system is operated by the park maintenance section of Parks and
26 Recreation. Operations are generally conducted by the Park Maintenance Supervisor
27 permanently assigned to Carnegie.



1 Carnegie was inspected by Brian Kidwell, Associate Sanitary Engineer from the
2 Division, on February 19, 2015, with the assistance of Dale Tidwell, Operator. During
3 the inspection, a review of Division monitoring records revealed that Carnegie did not
4 monitor its well for nitrate during 2014.

5
6 Specifically, on February 17, 2015, an email was sent to Randy Caldera, Sector
7 Superintendent, asking if Carnegie sampled its well for nitrate during 2014. After
8 discussions with the laboratory Mr. Caldera determined that nitrate monitoring was not
9 conducted for Carnegie's well during 2014.

10 11 **DETERMINATION**

12 The Division has determined that Carnegie failed to comply with the requirements of
13 Section 64432.1(a) due to the fact that Carnegie failed to conduct annual nitrate
14 monitoring from its well. Therefore Carnegie is in violation of Section 64432.1(a) of
15 the California Code of Regulations.

16 17 **DIRECTIVES**

18 Carnegie is hereby directed to take the following actions:

- 19
20 1. Notify the patrons served by Carnegie of the failure to monitor nitrate in
21 conformance with Section 64432.1(a), of the California Code of Regulations.
22 The notification shall be provided in accordance with the following:
23
24 a. Carnegie is required to notify the patrons of the State Vehicle
25 Recreation Area of this violation by posting a notice on the drinking
26 water fountains, in the rest rooms, and all other water service areas

1 located within the recreation area. The notice shall be posted no later
2 than March 15, 2015, and shall remain posted for at least 7 days.

3
4 b. A sample notification form that can be used to satisfy the public
5 notification requirement is attached to this Citation. Within ten (10) days
6 of posting of the notice, Carnegie shall submit to the Division a copy of
7 the notification including certification of its posting.

8
9 2. By March 15, 2015, Carnegie must provide a written plan to the Division that
10 describes the steps Carnegie plans to take to prevent similar violations from
11 occurring in the future.

12
13 3. Carnegie shall monitor the well for nitrate by March 31, 2015. If the results are
14 below half the MCL, then the well shall return to annual monitoring. The next
15 nitrate sample for this well, depending on the upcoming results, shall be due
16 between May and December 2015.

17
18 The Division reserves the right to make such modifications to this Citation as it may
19 deem necessary to protect public health and safety. Such modifications may be
20 issued as amendments to this Citation, and shall be deemed effective upon issuance.

21
22 Nothing in this Citation relieves Carnegie of its obligation to meet the requirements of
23 the California Safe Drinking Water Act, or of any regulation, permit, standard, or order
24 issued or adopted thereunder.

25
26 All submittals required by this Citation shall be submitted to the Division at the
27 following address:



1
2 Bhupinder S. Sahota, P.E.
3 District Engineer, Stockton District
4 State Water Resources Control Board
5 Division of Drinking Water
6 31 E. Channel Street, Room 270
7 Stockton, CA 9202
8

9 **PARTIES BOUND**

10 This Citation shall apply to and be binding upon Carnegie, its officers, directors,
11 shareholders, agents, employees, contractors, successors, and assignees.
12

13 **SEVERABILITY**

14 The Directives of this Citation are severable, and Carnegie shall comply with each
15 and every provision thereof, notwithstanding the effectiveness of any other provision.
16


17 **FURTHER ENFORCEMENT ACTION**

18 The California SDWA authorizes the Board to: issue citation with assessment of
19 administrative penalties to a public water system for violation or continued violation of
20 the requirements of the California SDWA or any permit, regulation, permit or order
21 issued or adopted thereunder including, but not limited to, failure to correct a violation
22 identified in a citation or compliance order. The California SDWA also authorizes the
23 Board to take action to suspend or revoke a permit that has been issued to a public
24 water system if the system has violated applicable law or regulations or has failed to
25 comply with an order of the Board; and to petition the superior court to take various
26 enforcement measures against a public water system that has failed to comply with
27 violates an order of the Board. The Board does not waive any further enforcement
28 action by issuance of this citation.
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02-24-2015

Date


Bhupinder S. Sahota, P.E.,
District Engineer, Stockton District
Division of Drinking Water
State Water Resources Control Board

Attachments:

1. Public Notification
2. Proof of Notification Form

Certified Mail No. 7004 2890 0002 0057 9546



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IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.

Tradúzcalo o hable con alguien que lo entienda bien.

Monitoring Requirements Not Met for [System]

Our water system failed to monitor as required for drinking water standards during the past year and, therefore, was in violation of the regulations. Even though this failure was not an emergency, as our customers, you have a right to know what you should do, what happened, and what we did to correct this situation.

We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not our drinking water meets health standards. During [compliance period dates], we ['did not monitor or test' or 'did not complete all monitoring or testing'] for [contaminant(s)] and therefore, cannot be sure of the quality of our drinking water during that time.

What should I do?

- There is nothing you need to do at this time.
- The table below lists the contaminant(s) we did not properly test for during the last year, how many samples we are required to take and how often, how many samples we took, when samples should have been taken, and the date on which follow-up samples were (or will be) taken.

Contaminant	Required Sampling Frequency	Number of Samples Taken	When All Samples Should Have Been Taken	When Samples Were or Will Be Taken
	[number] sample every [number][time interval]			

- If you have health issues concerning the consumption of this water, you may wish to consult your doctor.

What happened? What is being done?

[Describe corrective action].

For more information, please contact [name of contact] at [phone number] or [mailing address].

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.

Secondary Notification Requirements

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- **SCHOOLS:** Must notify school employees, students, and parents (if the students are minors).
- **RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS** (including nursing homes and care facilities): Must notify tenants.
- **BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS:** Must notify employees of businesses located on the property.

This notice is being sent to you by [system].

State Water System ID#: _____. Date distributed: _____.

PROOF OF NOTIFICATION

As required by Section 116450 of the California Health and Safety Code, I notified all users that _____ failed to collect Nitrate monitoring in 2014.

Notification was made on _____ by
(date)

_____ written notice.
hand delivery or posted (circle one)

Signature of Water System Representative

(date)

DISCLOSURE: Be advised that Section 116725 and 116730 of the California Health and Safety Code state that any person who knowingly makes any false statement on any report or document may be liable for a civil penalty not to exceed five thousand (5,000) for separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in the county jail not to exceed one year, or by both the fine and imprisonment.

Due By: March 25, 2015
Failed to Collect Nitrate: 2014
System Number: 3910301
Citation No.:01-10-15C-004